

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**BIG STONE GAP CALENDAR - MARCH 21 , 2005**

**(Court convenes at 1:00 P.M.)**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

| Attys:   | Debtors:   | Case Nos.: | Trustees:  |
|--|--|------------|------------|
| <b><u>1:00 P.M. - CHAPTER 13 CONFIRMATIONS</u></b> |  |            |            |
| Hutchinson   | DARLENE MCCONNELL<br><b>CASE CONVERTED TO CH 7 on 12/29</b>  | 04-74731   | Widener/AF |
| Lamie  | FULLER & MILDRED HELBERT<br>Mod Plan filed 1/26 #28, 29<br>Trustee's show cause to dismiss or convert filed 11/24 #12 <i>contd from 2/9</i>  | 04-74204   | Widener/S  |
| Hutchinson   | RANDY & DEBRA HICKS<br>Plan filed 1/13 # 11, conf set in d/e # 6. ( <i>Service?</i> )<br>Trustee Report & Showcause filed 2/24; # 14<br><b>Obj:</b> Wachovia Bank (Smith) filed 2/25; # 18<br><br>Motion for Relief - filed 2/25; # 17, 19 by Wachovia Bank NA (Smith) | 04-74871   | Widener/SL |
| Hutchinson   | ROBERT & SHERRY MIDDLETON<br>Post Conf. Mod Plan filed 12/15; #29, 30 - <i>contd from 2/8</i><br><br>Valuation: The Peoples Bank, filed 1/17; # 33   | 04-1898    | Widener/NS |
| Hutchinson   | PHILIP & TINA CUPP<br>Plan filed 1/15; #5, 6 - <i>contd from 2/9</i><br><br>Valuation: Citifinancial: filed 1/17; #10  | 04-74562   | Widener/SJ |
| Hutchinson   | C. L. & GLORIA STROUTH<br>Plan filed 11/15: #10 - <i>contd from 2/9</i><br><br>Valuation: Chrysler Financial, filed by debtor C. L. Strouth on 1/17; #16   | 04-74528   | Widener/VS |
| Harris   | BENNIE SLUSS, JR.-CH13<br>Third Amended Plan filed 1/14; #33, #34<br>Trustee Report & Showcause filed 12/28; # 32, <i>contd from 2/9</i>   | 03-05291   | Widener/NS |

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| Hutchinson | JAMES & KELLY BURKE<br>Plan filed 11/29; # 2, 5<br>Trustee Report & Showcause: Dismiss/convert filed 2/2; # 10  | 04-74788 | Widener/NS |
| Hutchinson | GARY & ALICE FULLER<br>Plan filed 12/15; #4, 6<br>Trustee Report & Showcause: filed 2/2; # 9  | 04-74978 | Widener/GR |
| Hutchinson | ANDY & TAMMY MEADE<br>Plan filed 12/8; #4, #6   | 04-74913 | Widener/LM |
| Hutchinson | LARRY & JUDY FRAZIER<br>Plan filed 11/26; # 3, 6  | 04-74766 | Widener/SL |
| Hutchinson | ELLA BLOOMER<br>Plan filed 11/26; # 3, 6; Mod Plan filed 1/31 #11, Ord/Ntc # 12<br><b>Obj:</b> American General Finance (Hutton) filed 1/26; #10<br>Trustee Report & Showcause: filed 2/2; # 13   | 04-74767 | Widener/SL |
| Lamie      | MARK COLEMAN<br><i>Case Reinstated 1/20 #50; Amended Plan filed 1/20; #49, Ord 1/20 set hrg #51</i><br><b>CASE DISMISSED 1/26/05; failure to comply w/court's 1/20 order re:<br/>reinstatement conditions requiring pmt of arrears to trustee</b> | 04-1874  | Widener/SL |

**1:00 P.M. - MISCELLANEOUS**

|            |   |          |            |
|------------|---|----------|------------|
| Compton    | TONY SHKURKA<br>Objection of Debtor to Claim #1 of Colleen S. Jackson in amt of \$37,818.02<br>filed 2/2; # 19 ; <u>re-filed 2/4; # 20</u>  | 04-2971  | Wick/SL    |
| Hutchinson | DIANNA HALL<br>Motion for Relief from Stay, filed 2/17; # 10, 12, 13, 15 by GMAC (Eason)<br><br>Motion for Relief from <u>Co-Debtor Stay</u> , filed 2/17; # 11, 14 by GMAC (Eason) | 05-70318 | Widener/SO |
| Jessee     | CHARLES & DONNA BENNETT<br>Motion for Relief - filed 2/22; # 18, 19 , 21, by HSBC Auto Finance (Epps)   | 05-70181 | Wick/GR    |

**1:30 P.M. - MISCELLANEOUS**

|            |                       |         |           |
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| Hutchinson | JIMMY & CYNTHIA ELLIS | 02-1100 | Widener/S |
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Trustee Motion to Dismiss or Convert case filed 1/24; #35

|            |   |          |             |
|------------|---|----------|-------------|
| Hutchinson | CLARA TATE<br>Motion of Trustee to Dismiss case filed 2/14; # 12  | 04-3292  | Wick/NS     |
| Hutchinson | TIMOTHY & REBECCA OSBORNE<br>Trustee Motion to Dismiss Case or Convert, filed 2/17; # 26  | 01-4048  | Widener/JJ  |
| Hutchinson | DANA & MARSHA COLLINS-CH7<br>Debtors' Motion to Dismiss Case filed 1/18; #6<br>Motion of Trustee to Dismiss Case filed 2/14; # 12   | 04-74908 | Jessee/JM   |
| Car,pdu    | MARVIN & CATHY DOTSON<br>Objection of Trustee to Debtors' Claim of Exemptions filed 2/23; # 8   | 04-74944 | Jessee/JJ   |
| Rasnic     | BRUCE AND LISA GILLIAM<br>Motion for Relief from stay filed by Washington Mutual Bank(Neyhart) d/e #7<br><u>Response to motion filed 12/29; #12 – contd from 1/18 - converted to Ch 13 1/18</u> | 04-74790 | WidenerNS   |
| Hutchinson | CARROLL PANNELL<br>Motion of Debtor to extend time to file schedules and plan filed 2/23; # 13  | 05-70413 | Connelly/LM |
| Elkins     | JIMMY FRENCH<br>Motion to Avoid Lien of American General Finance, filed 1/20; # 7, 8, 9, 10<br><br>Motion for Relief - filed 2/22; # 11, 12, 13 by Farm Credit of The Virginias<br>ACA (Hutton) | 04-74947 | Jessee/JJ   |
| Rasnic     | RICHARD & KATHY SAYLOR<br>Motion to Avoid lien of American General Finance: filed 1/25; #13, 15   | 05-70070 | Widener/SL  |
| Hutchinson | WHEELER & LINDA DENSON<br>Motion to Incur Debt filed by Debtor 2/28; # 21<br><b>Obj:</b> of Trustee to Motion filed 3/1; # 22   | 04-882   | Widener/GR  |

**2:00 P.M. - PRE-TRIAL CONFERENCES**

|         |   |          |           |
|---------|---|----------|-----------|
| Collins | CHARLES BOOHER<br>AP 04-7147: Det.dischargeability<br>Debtor (Collins) v. Eunice Booher ( J. Lamie* )<br>*filed <u>Answer</u> 1/26; #5 <u>styled Motion to Dismiss &amp; contains Counterclaim</u><br>( <u>Answer</u> refiled 1/28; #6 <u>styled Amended Motion to Dismiss &amp; Contains</u> | 04-74179 | Jessee/GR |
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Amended Counterclaim

AP 04-7145: Det.dischargeability – *contd from 2/9*  
American General Financial Services of America (Rogers) v. Debtor  
Answer filed 12/30, #4

|        |                                   |          |     |
|--------|-----------------------------------|----------|-----|
| Elkins | REBA FRAZIER                      | 04-74946 | /JJ |
|        | AP 05-7015: Dischargeability      |          |     |
|        | Debtor v. U. S. Dept of Education |          |     |

**2:00 P.M. - MISCELLANEOUS**

|       |   |          |         |
|-------|---|----------|---------|
| Lamie | PAMELA WATKINS  | 04-74730 | Wick/AF |
|       | Mot to Redeem property: Amcore Bank NA filed 1/24; #7 |          |         |
|       | <u>Response to motion filed 2/23; # 10 (Esposito)</u> |          |         |

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|-----------|----------------------------------|---------------|--------|
| Copeland  | COAL RIVER RESOURCES             | 04-988        | DIP/NS |
| Copeland  | STEVEN R. MULLINS EXCAVATING INC | (Joint Cases) |        |
| Leonard   | TRI-STATE LEASING                |               |        |
| Goldstein | HOLLOW MOUNTAIN RESOURCES        |               |        |

Re: Steven R. Mullins Excavating Inc.

1) Adequacy of Disclosure Statement filed 1/10/ #495, 499

Re: Tri-State Leasing :

1) Adequacy of Disclosure Statement filed 1/10/ #497, 500

**Obj:** Caterpillar Financial Services Corp (Callahan) filed 1/28 # 526

Coal River Resources ( Copeland)

1) AP 04-07146, Euler Hermes ACI(Esposito) v. debtors: to obtain declaratory judgment filed on 12/23 –*contd from 2/9*

2) *Disclosure Stmt & Plan*

3) *Notice of Presentation of Order Disallowing Claim #11 of AIG Law Dept,*  
*Filed 2/18; # 548*

Hollow Mountain Resources (Goldstein)

Objs to Discl. Stmt if not resolved by amendment to be circulated to objecting creditors' counsel only by 3/1 *and agreed order approving DS thereafter*  
–d/e # 549 recites 3/31 hearing; not 3/21??

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| Copeland | BLACK DIAMOND TRUCKING CO | 03-03937 | Vogel/AF |
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Application for Compensation by Copeland & Bieger PC filed 11/23; #137  
(continued from 1/18)

**Objection** filed 1/14 by UST; #144

**3:00 P. M. - TRIAL**

|          |   |         |             |
|----------|---|---------|-------------|
| Copeland | FRANKLIN J.SUTHERLAND   | 01-3593 | Callahan/NS |
|          | AP 04-26 ( <i>consolidated w/04-143</i> ): <b>TRIAL</b>   |         |             |
|          | William F. Callahan Jr., Trustee (Callahan) v. New England Life<br>Insurance Co. (Viveon Kelley); Franklin J. Sutherland (Copeland); and<br>Karen D. Sutherland (Keuling-Stout) |         |             |